

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (CGM) SIPA Liquidation (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. FALCON PRIVATE BANK LTD. (f/k/a AIG Privat Bank AG), Defendant.	Adv. Pro. No. 11-02923 (CGM)

STIPULATION AND ORDER TO ADJOURN ARGUMENT DATE

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC, under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the estate of Bernard L. Madoff, under Chapter 7 of the United States Bankruptcy Code, 11 U.S.C. §§ 701-784, and defendant Falcon Private Bank LTD. (f/k/a AIG Privat Bank AG) (“Defendant,” and together with the Trustee, the “Parties”), by and through their respective undersigned counsel, stipulate and agree as follows:

WHEREAS, on August 15, 2022, Defendant filed a motion to dismiss the Trustee's complaint (the "Motion") which lists December 14, 2022 as the hearing date, ECF No. 118.

WHEREAS, the Trustee timely filed an Opposition to Defendant's Motion on October 14, 2022, ECF No. 122.

WHEREAS, the Parties have reached a settlement in principle that, if finalized, would resolve this adversary proceeding.

WHEREAS, the Parties have agreed to request that the hearing on the Motion be adjourned from August 16, 2023 to September 20, 2023, at 10:00 a.m.

WHEREAS, except as expressly set forth herein, the Parties reserve all rights, arguments, claims, objections and/or defenses that they may have and entry into this stipulation shall not impair or otherwise affect any such rights, arguments, claims, objections and/or defenses, including, without limitation, challenges to personal jurisdiction or the jurisdiction of this Court.

IT IS HEREBY STIPULATED AND AGREED, by the Parties, and **SO ORDERED**, by the Court that the hearing on Defendant's Motion be adjourned from August 16, 2023 to September 20, 2023 at 10:00 a.m.

[Signatures on following page]

Dated: New York, New York
August 2, 2023

BAKER & HOSTETLER LLP

By: /s/ David J. Sheehan
45 Rockefeller Plaza
New York, New York 10111
Telephone: 212-589-4200
Facsimile: 212-589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Amy E. Vanderwal
Email: avanderwal@bakerlaw.com

*Attorneys for Plaintiff Irving H. Picard,
Trustee for the Liquidation of Bernard L.
Madoff Investment Securities LLC and the
Chapter 7 Estate of Bernard L. Madoff*

**PILLSBURY WINTHROP SHAW
PITMAN LLP**

By: /s/ Rahman Connelly
Eric Fishman
Andrew Troop
Rahman Connelly
31 West 52nd Street
New York, New York 10019
Telephone: 212-858-1000
eric.fishman@pillsburylaw.com
andrew.troop@pillsburylaw.com
rahman.connelly@pillsburylaw.com

*Attorneys for Defendant Falcon Private Bank
Ltd.*

**Dated: August 4, 2023
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**